

SUPERIOR COURT
County
Docket No.

DISTRICT COURT
Location:
Docket No.

XXX,

Plaintiff

v.

**FORECLOSURE MEDIATOR'S
REPORT**

XXX,

Defendant

☐ **Interim Report**

☐ **Final Report**

Date of Mediation _____ **Name of Mediator** _____

Case Filed Before January 1, 2010? ☐ Yes ☐ No

1. COURT ACTION

A. FOR FINAL REPORTS (Check one only)

☐ Resolved, case settled, plaintiff's counsel to file motion to dismiss/stipulation of dismissal within _____. If no motion filed, case will be dismissed, with/without (circle) prejudice, on _____

☐ Unresolved by mediation, scheduling order to issue

☐ Defendant(s) failed to appear, scheduling order to issue

B. FOR INTERIM REPORTS (Check one only)

☐ Unresolved, additional mediation session requested

☐ Next mediation scheduled for _____

☐ Next mediation session to be requested by _____

_____ (designate person and date)

☐ Temporary agreement reached, see section (6).

☐ Plaintiff/plaintiff's counsel failed to appear, court sanction requested:

☐ Other _____

2. PARTICIPANTS (Provide full names)

☐ **Mortgagee/plaintiff** _____

☐ In person ☐ By telephone/video

☐ Mortgagee had authority to agree to a proposed settlement, loan modification or dismissal

☐ **Representative of mortgagee, such as a servicer** _____

☐ In person ☐ By telephone/video

☐ Mortgagee's representative had authority to agree to a proposed settlement, loan modification or dismissal

☐ **Mortgagee/plaintiff's counsel** _____

☐ **Mortgagor/defendant** _____

☐ **Mortgagor/defendant's counsel (if represented)** _____

☐ **Other (specify):** _____

3. PARTY AND/OR COUNSEL ACTION

(If any further action is required of parties or counsel, such as a party's need to file with the court and exchange with the other party certain information before the next mediation session, the mediator should indicate that here in detail, including setting deadlines for action)

4. **MEDIATION OUTCOME (Check one only)**

- ☐ Final settlement agreement reached during mediation
 - ☐ Temporary agreement reached during mediation
 - ☐ Temporary agreement reached before mediation
 - ☐ Agreement on some issues, but mediation did not resolve the action
 - ☐ No agreement on any issues, mediation concluded
 - ☐ Additional mediation needed after the parties file with the court and exchange with each other more information
 - ☐ Additional mediation needed because _____(name) needs to be included in the mediation
 - ☐ Additional mediation needed for other reason
Specify reason: _____
 - ☐ Plaintiff/defendant (circle) needs time to consider proposed agreement
 - ☐ Mediation not held because defendant(s) was not owner-occupant
 - ☐ Mediation not held because plaintiff/defendant/plaintiff's counsel/defendant's counsel (circle) did not attend
 - ☐ Plaintiff/defendant (circle) needs time to consider proposed agreement
 - ☐ Other, specify: _____
-

5. **PROGRAM REPORTING**

A. **FDIC NPV WORKSHEET (Check only one)**

- ☐ Worksheet Completed and Attached

NPV Outcome: ☐ Pass ☐ Fail

- ☐ Worksheet not completed for following reasons:

B. COMMUNITY RESOURCES (Check all that apply)

- ☐ Defendant attended informational session.
- ☐ Defendant received legal counseling or assistance.
- ☐ Defendant received assistance in preparing forms for mediation.
 - ☐ From attorney or legal services employee.
 - ☐ From housing counselor.
 - ☐ From financial counselor.

C. AGREEMENT DETAILS, IF APPLICABLE (Check all that apply)

- i. ☐ Reinstatement of the mortgage
- ii. ☐ Repayment/Forbearance plan
 - a. Number of months of changed monthly payment _____
 - b. DTI of changed monthly payment:
 - ☐ 31% or under ☐ 31-38% ☐ over 38%
- iii. ☐ Extension agreement
- iv. ☐ Principal Forbearance
- v. ☐ Waive fees/penalties
 - ☐ \$0 - \$500 ☐ \$501 - \$1000 ☐ \$1001 - \$2000 ☐ More than \$2001
- vi. ☐ Loan modification
 - ☐ Temporary modification (how many months? _____.)
 - ☐ Permanent modification
 - ☐ Interest rate reduction
 - ☐ Old interest rate _____
 - ☐ New interest rate _____
 - ☐ ARM to fixed rate

☐ Amortization extended

Term increased by _____ months.

☐ Principal reduction

Old principal _____

New principal _____

☐ Shared appreciation mortgage (SAM)

Percent of future value given up _____

vii. ☐ Deed in lieu of foreclosure

viii. ☐ Short sale

ix. ☐ Cash for keys

x. Other _____

6. FOR TEMPORARY AGREEMENTS (Check all that apply)

☐ Temporary agreement period ends _____

☐ Parties agree that no dispositive motions will be filed until _____

☐ Parties agree to extend the period for mediation to _____

☐ If terms of temporary agreement complied with, then plaintiff's counsel shall file a motion to dismiss/stipulation of dismissal of the action by _____

UPON FILING OF THAT MOTION, THIS INTERIM MEDIATOR'S REPORT WILL BE DEEMED TO BE A FINAL MEDIATOR'S REPORT.

☐ If terms of temporary agreement are not complied with, then either party may file a motion to return the case to the regular docket with the court by _____

UPON FILING OF THAT MOTION, THIS INTERIM MEDIATOR'S REPORT WILL BE DEEMED TO BE A FINAL MEDIATOR'S REPORT.

☐ Other _____

7. BRIEF NARRATIVE OF ANY AGREEMENT(S) REACHED

SIGNATURE OF MEDIATOR

DATE

SIGNATURE OF PLAINTIFF

DATE

SIGNATURE OF PLAINTIFF'S COUNSEL

DATE

SIGNATURE(S) OF DEFENDANT (1)

DATE

SIGNATURE(S) OF DEFENDANT (2)

DATE

SIGNATURE OF DEFENDANT (1) COUNSEL

DATE

SIGNATURE OF DEFENDANT (2) COUNSEL

DATE

WHEN COMPLETE:

**FILE ORIGINAL WITH COURT
SEND OR HAND COPIES TO PARTIES
AND SEND COPY TO
THE FORECLOSURE DIVERSION PROGRAM,
P.O. BOX 4820, PORTLAND, ME 04112-4820**